

NATIONAL COMMUNICATIONS SYSTEM  
Washington, D.C. 20305-2010

NCS DIRECTIVE 3-1

TELECOMMUNICATION OPERATIONS

Telecommunications Service Priority (TSP) System  
for National Security Emergency Preparedness (NSEP)

1. Purpose. This directive implements policy, explains legal and regulatory basis, assigns responsibilities, and prescribes procedures for the Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP).

2. Applicability.

a. This directive is binding upon the Executive Agent, NCS; Manager, NCS; NCS Committee of Principals and member organizations; and other affected Executive entities.

b. This directive applies to NSEP telecommunication services:

(1) For which initial or revised priority level assignments are requested pursuant to paragraph 12 of this directive.

(2) Which were assigned restoration priorities under the provisions of Title 47, CFR, Part 64, Appendix A, "Priority System for the Restoration of Common Carrier Provided Intercity Private Line Services," Title 47, CFR, Part 211, "Emergency Restoration Priority Procedures for Telecommunications Services," and NCS Memorandum 1-68 and are being resubmitted for priority level assignments pursuant to paragraph 14 of this directive. (Such services will retain assigned restoration priorities until a resubmission for a TSP assignment is completed or until the existing RP rules are terminated.)

---

- Office of Primary Responsibility: NCS-EP  
- Distribution: NCS

3. Authority. This directive is issued under the authority of Section 706 of the Communications Act of 1934, as amended (Title 47, United States Code, Section 606); Executive Order No. 12472, "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984, 49 Federal Register 13471 (1984); NCS Directive 1-1, "National Communications System (NCS) Issuance System," November 30, 1987; and Title 47 CFR, Part 64, Appendix A, "Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP)."

4. References.

a. Communications Act of 1934, as amended (Title 47, United States Code, Section 151, et seq.).

b. Defense Production Act of 1950, as amended (Title 50, United States Code Appendix, section 2061, et seq.).

c. Disaster Relief Act (Title 42, United States Code, Section 5121 et seq.).

d. Foreign Intelligence Surveillance Act (Title 50, United States Code, Section 1801, et seq. and Title 18 United States Code, Sections 2511, 2518, and 2519).

e. Title 47, Code of Federal Regulations, Part 64, Appendix A, "Priority System for the Restoration of Common Carrier Provided Intercity Private Line Services;" 47 C.F.R. Part 64, Appendix A (1980).

f. Title 47, Code of Federal Regulations, Part 64, Appendix A, "Telecommunications Service Priority (TSP) System for National Security Emergency Preparedness (NSEP)."

g. Defense Priorities and Allocation System (Title 15, Code of Federal Regulations, Part 350).

h. Executive Order No. 12472, "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984, 49 Federal Register 13471 (1984).

i. NCS Memorandum 1-68, "National Communications System (NCS) Circuit Restoration Priority System," July 18, 1968.

5. Cancellation and/or Supersession. NCS Memorandum 1-68, "National Communications System (NCS) Circuit Restoration Priority System," July 18, 1968; NCS Circular 55-1, "Processing Requests for Temporary Adjustments to NCS Circuit Restoration Priority Assignments," July 8, 1970; and NCS Circular 55-2, "NCS Data Base," November 21, 1977, with Change 1, May 30, 1978; are hereby superseded by, and cancelled under the authority of this directive on its effective date.

6. Definitions. See Appendix.

7. Scope of the NSEP TSP System.

a. Domestic NSEP Services. The NSEP TSP System and procedures established in Title 47, Code of Federal Regulations, Part 64 and in this directive authorize priority treatment to the following domestic telecommunication services (including portions of U.S. international telecommunication services provided by U.S. vendors) for which provisioning or restoration priority levels are requested, assigned, and approved in accordance with this directive and any implementing manuals:

(1) Common carrier services which are:

(a) Interstate or foreign telecommunication services.

(b) Intrastate telecommunication services inseparable from interstate or foreign telecommunications services, and intrastate telecommunication services to which priority levels are assigned pursuant to paragraph 13 of this directive.

(NOTE: Initially, the NSEP TSP System's applicability to public switched services is limited to (a) provisioning of such services (e.g., business, centrex, cellular, foreign exchange, Wide Area Telephone Service (WATS) and other services that the selected

vendor is able to provision), and (b) restoration of services that the selected vendor is able to restore.)

(2) Services which are provided by government and/or non-common carriers and are interconnected to common carrier services assigned a priority level pursuant to paragraph 13 of this directive.

b. Control Services and Orderwires. The NSEP TSP System and procedures implemented in this directive are not applicable to authorize priority treatment to control services or orderwires owned by a service vendor and needed for provisioning, restoration, or maintenance of other services owned by that vendor. Such control services and orderwires shall have priority of provisioning and restoration over all other telecommunication services (including NSEP services) and shall be exempt from preemption. However, the NSEP TSP System and procedures implemented in this directive are applicable to control services or orderwires leased by a service vendor or user from another service vendor.

c. Other Services. The NSEP TSP System may apply, at the discretion of and upon special arrangements by the entities involved, to authorize priority treatment to the following telecommunication services:

(1) Government or non-common carrier services which are not connected to common carrier provided services assigned a priority level pursuant to paragraph 13 of this directive.

(2) Portions of U.S. international services which are provided by foreign correspondents. (Subject to pertinent law, including references 4a, 4c, and 4f, U.S. telecommunication service vendors are encouraged to ensure that relevant operating arrangements are consistent to the maximum extent practicable with the NSEP TSP System. If such agreements do not exist, U.S. telecommunication service vendors should handle service provisioning and/or restoration in accordance with any system acceptable to their foreign correspondents which allows provisioning and restoration in the manner most comparable to the procedures established in this directive.) In addition, the U.S. government, acting through the Department of State, may enter into

the following types of agreements to ensure that priority provisioning and restoration procedures consistent with those governing domestic services within the NSEP TSP System are in place: (a) bilateral agreements for reciprocal priority treatment for critical foreign government telecommunication services in the U.S., and (b) multilateral agreements within such international telecommunication organizations as the North Atlantic Treaty Organization's Allied Long Lines Agency or Civil Communications Planning Committee, which have or are conducive to having a provisioning and restoration priority system.

d. Subpriority and Precedence Systems. Service users may implement subpriority and/or precedence systems that are consistent, and do not conflict with, the NSEP TSP System.

8. Policy. The NSEP TSP System is the regulatory, administrative, and operational system authorizing and providing for priority treatment (i.e., provisioning, and restoration) of NSEP telecommunication services (see definition in Appendix). As such, it establishes the framework for NSEP telecommunication service vendors to provision, restore, or otherwise act on a priority basis to ensure effective NSEP telecommunication services. The NSEP TSP System allows the assignment of priority levels to any NSEP service across three time periods, or stress conditions: Peacetime/Crisis/Mobilization, Attack/War, and Post-Attack/Recovery. All requests for priority level assignments will be processed through the Manager, NCS. Although priority levels normally will be assigned by the Manager, NCS, and retained by service vendors, only for the current time period, they may also be preassigned for the other two time periods at the request of service users who are able to identify and justify, in advance, their wartime or post-attack NSEP telecommunication requirements. Absent such preassigned priority levels for the Attack/War and Post-Attack/Recovery periods, priority level assignments for the Peacetime/Crisis/Mobilization period will remain in effect. At all times, priority level assignments will be subject to revision by the Federal Communications Commission (FCC); or, on an interim basis, the Director, Office of Science and Technology Policy (OSTP); and the Manager, NCS, based upon changing NSEP needs. No other system of

telecommunication service priorities which conflicts with the NSEP TSP System is authorized.

9. Legal Basis for the NSEP TSP System. The laws and regulations authorizing the NSEP TSP System are those cited above in paragraphs 3 and 4.

a. Communications Act. Sections 1, 4(I), and 201 thru 205 of the Communications Act of 1934 (Title 47, United States Code, Sections 151, 154(I), and 201 thru 205) grant to the FCC the authority over assignment and approval of priorities for provisioning and restoration of common carrier-provided telecommunication services. Under Section 706 of the Communications Act, this authority may be superseded, and expanded to include privately owned telecommunication services, by the war emergency powers of the President of the United States.

b. Executive Order No. 12472. In Executive Order No. 12472, the President tasked the NCS to assist the Director, OSTP, in the exercise of the President's war emergency powers. Executive Order No. 12472 also directs the Manager, NCS, to assist the Director, OSTP, in executing those functions by developing plans and procedures for the management, allocation and use (including the establishment of priorities and preferences) of federally owned or leased telecommunication assets.

c. Federal Rules. The FCC and Executive Office of the President (EOP) have used their respective authorizations to develop and establish the NSEP TSP System as the one uniform system of priorities for the provisioning and restoration of NSEP telecommunication services, both before and after invocation of the Section 706 Presidential war emergency powers. The Federal rules governing the NSEP TSP System have been promulgated by the FCC and OSTP (on behalf of the EOP) in Title 47 of the Code of Federal Regulations. In those rules, the FCC has requested the EOP to administer the NSEP TSP System before the invocation of Section 706 of the Communications Act, Presidential war emergency powers. In this directive, the EOP assigns to the Manager, NCS, both this administrative authority to administer the NSEP TSP System before, and the President's statutory authority to

administer the NSEP TSP System after, the invocation of the Section 706 Presidential war emergency powers.

d. Defense Production Act. The Defense Production Act of 1950 authorizes the President to require the priority performance of contracts and orders necessary to promote national defense. It also authorizes the President to allocate materials and facilities as necessary to promote national defense. Pursuant to the Defense Production Act, regulations promulgated by the Department of Commerce in the Defense Priorities and Allocations System (DPAS) permit the assignment of "priority ratings" to equipment associated with NSEP telecommunication services warranting priority treatment, if they support authorized programs under Schedule I of the DPAS.

e. Contracts. NSEP telecommunication service users may also employ contractual mechanisms to obtain the priority provisioning or restoration of service, including customer premises equipment and wiring. However, any such contractual arrangements must be consistent with NSEP TSP System rules and regulations, including any priority order of provisioning and restoration assigned in accordance with the NSEP TSP System.

#### 10. Responsibilities.

a. Federal Communications Commission. As authorized by the Communications Act the FCC will:

(1) Provide regulatory oversight of implementation of the NSEP TSP System.

(2) Enforce NSEP TSP System rules and regulations which are contained in Title 47, CFR, Part 64.

(3) Act as final authority for approval, revision, or disapproval of priority actions by the Manager, NCS, and adjudicate disputes regarding either priority actions or denials of requests for priority actions or denials of requests for priority actions by the Manager, NCS, until superseded by the President's war emergency powers under Section 706 of the Communications Act.

(4) Function (on a discretionary basis) as a sponsoring Federal organization. (See paragraph 10d below.)

b. Director, Office of Science and Technology Policy. The Director, OSTP, EOP, will:

(1) During exercise of the President's war emergency powers under Section 706 of the Communications Act, act as the final approval authority for priority actions or denials of requests for priority actions, adjudicating any disputes.

(2) Provide oversight of Executive branch activities associated with the NSEP TSP System, including assignment of priority levels for telecommunications service provisioning and restoration across all time periods.

(3) Function (on a discretionary basis) as a sponsoring Federal organization. (See paragraph 10d below.)

c. Manager, NCS. The Manager, NCS, will:

(1) Implement the NSEP TSP System under the oversight of the FCC and Director, OSTP, in consultation with the NCS Committee of Principals.

(2) Administer the NSEP TSP System, which includes:

(a) Receiving, processing, and evaluating requests for priority actions from service users, or sponsoring Federal government organizations on behalf of service users (e.g., Departments of State or Defense on behalf of foreign governments, Federal Emergency Management Agency on behalf of state and local governments, and any Federal organization on behalf of private industry entities). Action on such requests will be completed within 30 days of receipt.

(b) Assigning, revising, revalidating, or revoking priority levels as necessary or upon request of service users concerned, and denying requests for priority actions as necessary, using paragraph 16 of this directive. Under circumstances short of exercise of presidential war emergency powers under Section 706 of the Communications Act and time permitting, coordinate such

changes in priority level assignments in advance with requesting and/or affected parties. Action on such requests will be completed within 30 days of receipt.

(c) Maintaining data on priority level assignments.

(d) Periodically forwarding to the FCC and Director, OSTP, lists of priority actions for review and approval.

(e) Periodically initiating reconciliation.

(f) Testing and evaluating the NSEP TSP System for effectiveness.

(g) Conducting audits as necessary. Any Telecommunications Service Priority (TSP) System user may request the Manager, NCS to conduct an audit. (See the definition of an "audit" in Appendix A.)

(h) Issuing, subject to review by the FCC, procedures supplemental to and consistent with this directive regarding operation and use of the NSEP TSP System.

(i) Serving as a centralized point-of-contact for collecting and disseminating to all interested parties (consistent with requirements for treatment of classified and proprietary material) information concerning use and abuse of the NSEP TSP System.

(j) Establishing and assisting a TSP System Oversight Committee to identify and review any problems developing in the system and recommending actions to correct them or prevent recurrence. In addition to representatives of the EOP, representatives from private industry (including telecommunication service vendors), state and local governments, the FCC, and other organizations may be appointed to the committee.

(k) Reporting at least quarterly to the FCC; Director, OSTP; and TSP System Oversight Committee, together with any recommendations for action, the operational status of and trends in the NSEP TSP System, including:

- (i) Numbers of requests processed for the various priority actions, and the priority levels assigned.
- (ii) Relative percentages of services assigned to each priority level under each NSEP category and subcategory.
- (iii) Any apparent serious misassignment or abuse of priority level assignments.
- (iv) Any existing or developing problem.

(1) Submitting semi-annually to the FCC; Director, OSTP; and TSP System Oversight Committee a summary report identifying the time and event associated with each invocation of NSEP treatment under paragraph 13c of this directive and section 10c of Title 47, CFR, Part 64; whether the NSEP service requirement was adequately handled; and whether any additional charges were incurred. These reports will be due by April 30th for the preceding July through December and by October 31st for the preceding January through June time periods.

(3) Function (on a discretionary basis) as a sponsoring Federal organization. (See paragraph 10d below.)

d. Sponsoring Federal Organizations. Sponsoring Federal organizations will:

(1) Review and decide whether to sponsor private industry (including telecommunication service vendors) requests for priority actions. Federal organizations will forward sponsored requests with recommendations for disposition to the Manager, NCS. Recommendations will be based on paragraph 16 of this directive.

(2) Forward notification of priority actions or denials of requests for priority actions to the requesting private industry entities, for disposition.

(3) Cooperate with the Manager, NCS, during reconciliation, revalidation, and audits.

e. Departments of State and Defense. The Departments of State and Defense will, in addition to the responsibilities listed in paragraph 10h below:

(1) Review and decide whether to sponsor requests for priority level assignments from foreign governments and forward sponsored requests to the Manager, NCS, with recommendations for disposition. Recommendations will be based on paragraph 16 of this directive and whether or not priority treatment is afforded to U.S. NSEP telecommunication service requirements in the foreign country concerned.

(2) Forward notification of priority actions or denials of requests for priority actions to the requesting foreign government entities, for disposition.

f. Department of Energy. The department of Energy will, in addition to the responsibilities listed in paragraph 10h below:

(1) Review and decide whether to sponsor public and private interstate power utility company requests for priority actions and forward sponsored requests with recommendations for disposition to the Manager, NCS. Recommendations will be based on paragraph 16 of this directive. This does not preclude public and private power utility companies from obtaining sponsorship elsewhere.

(2) Forward notification of priority actions or denials of requests for priority actions to the requesting public and private power utility companies for disposition.

g. Federal Emergency Management Agency. The Federal Emergency Management Agency will, in addition to the responsibilities listed in paragraph 10h below:

(1) Review and decide whether to sponsor state and local government requests for priority actions and forward sponsored requests with recommendations for disposition to the

Manager, NCS. Recommendations will be based on paragraph 16 of this directive.

(2) Forward notification of priority actions or denials of requests for priority actions to the requesting state and local government entities, for disposition.

h. Federal Organizations. Federal organizations will:

(1) Ensure that NSEP TSP System users within each organization comply with their obligations under the NSEP TSP System.

(2) Provision and restore government-provided services (which are interconnected with commercially provided services assigned a priority level pursuant to paragraph 13 of this directive) in accordance with NSEP TSP System rules and regulations. (See paragraph 7a(2) of this directive.)

(3) Function (on a discretionary basis) as sponsoring Federal organizations for private sector service users (e.g., government contractors).

(4) Cooperate with the Manager, NCS, during reconciliation, revalidation, and audits.

i. Service Users. Service users, or entities acting on their behalf, will:

(1) Identify services requiring priority level assignments and request and justify priority level assignments in accordance with this directive and any supplemental NCS issuances.

(2) Justify and revalidate all priority level assignments at least every three years.

(3) For services assigned priority levels, ensure (through contractual means or otherwise) availability of customer premises equipment and wiring necessary for end-to-end service operation by the service due date, and continued operation; and, for such services in the Emergency NSEP category, by the time that vendors are prepared to provide the services. Additionally,

designate the organization responsible for the service on an end-to-end basis.

(4) Be prepared to accept services assigned priority levels by the service due dates or, for services in the Emergency NSEP category, when they are available.

(5) Pay vendors any authorized costs associated with services that are assigned priority levels.

(6) Report to vendors any failed or unusable services that are assigned priority levels.

(7) Designate a 24-hour point-of-contact for matters concerning each request for priority action and apprise the Manager, NCS.

(8) Upon termination of services that are assigned priority levels, or circumstances warranting revisions in priority level assignment (e.g., expansion of service), request and justify revocation or revision.

(9) When NSEP treatment is invoked under paragraph 13c of this directive, within 90 days following provisioning of the service involved, forward to the Manager, NCS complete information identifying the time and event associated with the

invocation and regarding whether the NSEP service requirement was adequately handled and whether any additional charges were incurred.

(10) Cooperate with the Manager, NCS, during reconciliation, revalidation, and audits.

j. Service Vendors. Service vendors will comply with the provisions of Title 47, CFR, Part 64. When those provisions are superseded by the President's war emergency powers under Section 706 of the Communications Act, vendors will continue to comply with Title 47, CFR, Part 64, subject to further direction by Director, OSTP.

11. Preemption of Existing Services. When necessary to provision or restore NSEP services, service vendors may preempt services they provide as specified below. "User," as used in this section, means any user of a telecommunications service, to include both NSEP and non-NSEP services. Prior consent by a preempted user is not required.

a. The sequence in which existing services may be preempted to provision NSEP services assigned a provisioning priority level "E" or restore NSEP services assigned a restoration priority level from "1" through "5":

(1) Non-NSEP services: If suitable spare services are not available, then, based on the considerations in Title 47, CFR, Part 64 and the service vendor's best judgement, non-NSEP services will be preempted. After ensuring a sufficient number of public switched services will remain available for public use, based on the service vendor's best judgement, such services may be used to satisfy a requirement for provisioning or restoring NSEP services.

(2) NSEP Services: If no suitable spare or non-NSEP services are available, then existing NSEP services may be preempted to provision or restore NSEP services with higher

priority level assignments. When this is necessary, NSEP services will be selected for preemption in the inverse order of priority level assignment.

(3) Service vendors who are preempting services will ensure their best effort to notify the service user of the preempted service and state the reason for and estimated duration of the preemption.

b. Service vendors may, based on their best judgement, determine the sequence in which existing services may be preempted to provision NSEP services assigned a provisioning priority of "1" through "5." Preemption is not subject to the consent of the user whose service will be preempted.

12. Requests for Priority Actions. All service users are

required to submit requests for priority actions through the Manager, NCS, in the format and following the procedures prescribed by the Manager.

13. Assignment, Approval, Use, and Invocation of Priority Levels.

a. Assignment and Approval of Priority Levels and Priority Actions.

(1) Priority level assignments or other priority actions will be based upon section 16, NSEP TSP System Categories, Criteria, and Priority Levels, of this directive. A priority level assignment or other priority action made by the Manager, NCS, will serve as the recommendation of the Director, OSTP (on behalf of the EOP) to the FCC. If the Director, OSTP does not approve the priority level assignment or other priority action made by the Manager, NCS, then the Director can direct the Manager, NCS, to revise or revoke the priority level assignment or other priority action.

(2) Until the President's war emergency powers under Section 706 of the Communications Act are invoked, priority level assignments or other priority actions must be approved by the FCC. (If the FCC does not approve the priority level assignment or other priority action, then it can direct the Manager, NCS, to revise or revoke the priority level assignment or other priority action.) However, the FCC has instructed service vendors to implement any priority level assignments or other priority actions that are pending FCC approval.

(3) After invocation of the President's war emergency powers, the requirement for FCC approval of priority level assignments or other priority actions may be superseded by other procedures issued by the Director, OSTP.

b. Use of Priority Level Assignments.

(1) All provisioning and restoration priority level assignments for services in the Emergency NSEP category will be included in initial service orders to vendors. Provisioning priority level assignments for Essential NSEP services, however,

will not usually be included in initial service orders to vendors. NSEP treatment for Essential NSEP services will be invoked and provisioning priority level assignments will be conveyed to service vendors only if the vendors cannot meet needed service dates through the normal provisioning process.

(2) Any revision or revocation of either provisioning or restoration priority level assignments will also be transmitted to vendors.

(3) Service vendors shall accept priority levels and/or revisions only after assignment by the Manager, NCS. (NOTE: Service vendors acting as prime contractors for NSEP services will accept assigned NSEP priority levels only when they are accompanied by the Manager, NCS designated service identification (i.e., TSP Authorization Code). However, service vendors are authorized to accept priority levels and/or revisions from users and contracting activities before assignment by the Manager, NCS when service vendors, users, and contracting activities are unable to communicate with either the FCC,

Director, OSTP, or the Manager, NCS. Processing of Emergency NSEP service requests will not be delayed for verification purposes.

c. Invocation of NSEP Treatment. To invoke NSEP treatment for the priority provisioning of an NSEP telecommunications service, an authorized Federal official either within, or acting on behalf of, the service user's organization must make a written or oral declaration to concerned service vendor(s) and the Manager, NCS, that NSEP treatment is being invoked. Authorized Federal officials include the head or director of a Federal agency, commander of a unified/specified military command, chief of a military service, or commander of a major military command; the delegates of any of the foregoing; or any other officials as specified in supplemental procedures issued by the Manager, NCS. The authority to invoke NSEP treatment may be delegated only to a general or flag officer of a military service, civilian employee of equivalent grade (e.g., Senior Executive Service member), Federal Coordinating Officer or Federal Emergency Communications Coordinator/Manager, or any other such officials specified in supplemental procedures issued by the EOP. Delegates must be

designated as such in writing, and written or oral invocations must be accomplished, in accordance with supplemental procedures issued by the Manager, NCS.

14. Resubmission of Circuits Presently Assigned Restoration Priorities. All circuits assigned restoration priorities must be reviewed for eligibility for initial restoration priority level assignment under the provisions of this directive. Circuits assigned restoration priorities, and for which restoration priority level assignments are requested under paragraph 12 of this directive, will be resubmitted to the Manager, NCS. To resubmit such circuits, service users will comply with applicable provisions of paragraphs 10i and 13 of this directive.

15. Appeal. Service users or sponsoring Federal organizations may appeal any priority level assignment, denial, revision, revocation, approval, or disapproval to the Manager, NCS within 30 days of notification to the service user. The appellant must use the form or format required by the Manager, NCS and must serve the FCC with a copy of its appeal. The Manager, NCS will act on the appeal within 90 days of receipt. Service users and sponsoring Federal organizations may only then appeal directly to the FCC. Such FCC appeal must be filed within 30 days of notification of the Manager, NCS' decision on appeal. Additionally, the Manager, NCS may appeal any FCC revisions, approvals or disapprovals to the FCC. All appeals to the FCC must be submitted using the form or format required. The party filing its appeal with the FCC must include factual details supporting its claim and must serve a copy on the Manager, NCS and any other party directly involved. Such party may file a response within 20 days, and replies may be filed within 10 days thereafter. The Commission will not issue public notices of such submissions. The Commission will provide notice of its decision to the parties of record. Any appeals to the Manager, NCS that include a claim of new information that has not been presented before for consideration may be submitted at any time.

16. NSEP TSP System Categories, Criteria, and Priority Levels.

a. General. NSEP TSP System categories and criteria, and permissible priority level assignments, are defined and explained below.

(1) The Essential NSEP category has four subcategories (i.e., National Security Leadership; National Security Posture and U.S. Population Attack Warning; Public Health, Safety, and Maintenance of Law and Order; and Public Welfare and Maintenance of National Economic Posture). Each subcategory has its own criteria. Criteria are also shown for the Emergency NSEP category, which has no subcategories.

(2) Priority levels of "1," "2," "3," "4," and "5" may be assigned for provisioning and/or restoration of Essential NSEP telecommunication services. However, for Emergency NSEP telecommunication services, a priority level "E" is assigned for provisioning. A restoration priority level from "1" through "5"

may be assigned if an Emergency NSEP service also qualifies for such a restoration priority level under the Essential NSEP category.

(3) The NSEP TSP System allows the assignment of priority levels with any NSEP telecommunications service across three time periods, or stress conditions: Peacetime/Crisis/Mobilization, Attack/War, and Post-Attack/Recovery. Priority levels will normally be assigned only for the first time period. These assigned priority levels will apply through the onset of any attack, but it is expected that they would later be revised by surviving authorized telecommunication resource managers within the Executive Office of the President based upon specific facts and circumstances arising during the Attack/War and Post-Attack/Recovery time periods.

(4) Service users may, for their own internal use, assign subpriorities to their services assigned priority levels. Receipt of and response to any such subpriorities is optional for service vendors.

(5) The following paragraphs provide a detailed explanation of the categories, subcategories, criteria, and priority level assignments, beginning with the Emergency NSEP category.

b. Emergency NSEP. Telecommunication services in the Emergency NSEP category are those new services so critical as to be required to be provisioned at the earliest possible time, without regard to the costs of obtaining them.

(1) Criteria. To qualify under the Emergency NSEP category, the service must meet the criteria of directly supporting or resulting from at least one of the following NSEP functions:

(a) Federal government activity responding to a Presidentially declared disaster or emergency as defined in the Disaster Relief Act (42 U.S.C. Section 5122).

(b) State or local government activity responding to a Presidentially, state, or locally declared disaster or emergency.

(c) Response to a state of crisis declared by the National Command Authorities (e.g., exercise of presidential war emergency powers under Section 706 of the Communications Act, *supra*).

(d) Efforts to protect endangered U.S. personnel or property.

(e) Response to an enemy or terrorist action, civil disturbance, natural disaster, or any other unpredictable occurrence that has damaged facilities whose uninterrupted operation is critical to NSEP or the management of other ongoing crises.

(f) Certification by the head or director of a Federal agency commander of a unified/specified command, chief of a military service, or commander of a major military command, that the telecommunications service is so critical to protection of life and property or to NSEP that it must be provided immediately.

(g) A request from an official authorized pursuant to the Foreign Intelligence Surveillance Act (50 U.S.C. Section 1801 et seq. and 18 U.S.C. Section 2511, 2518, 2519).

(2) Priority Level Assignment.

(a) Services qualifying under the Emergency NSEP category are assigned priority level "E" for provisioning.

(b) After 30 days, assignments of provisioning priority level "E" for Emergency NSEP services are automatically revoked unless extended for another 30-day period. A notice of any such revocation will be sent to service vendors.

(c) For restoration, Emergency NSEP services may be assigned priority levels under the provisions applicable to Essential NSEP services (see paragraph 16.c.). Emergency NSEP services not otherwise qualifying for restoration priority level assignment as Essential NSEP may be assigned a restoration priority level "5" for a 30-day period. Such 30-day restoration priority level assignments will be revoked automatically unless extended for another 30-day period. A notice of any such revocation will be sent to service vendors.

c. Essential NSEP. Telecommunication services in the Essential NSEP category are those required to be provisioned by due dates specified by service users, or restored promptly, normally without regard to associated overtime or expediting costs. They may be assigned priority levels of "1," "2," "3," "4," or "5" for both provisioning and restoration, depending upon the nature and urgency of the supported function, the impact of a lack of service or service interruption upon the supported function, and, for priority access to public switched services, the user's level of responsibility. Priority level assignments will be valid for no more than three years unless revalidated. To be categorized as Essential NSEP, a telecommunications service must qualify under one of the four subcategories described below: National Security Leadership; National Security Posture and U.S. Population Attack Warning; Public Health, Safety, and Maintenance of Law and Order; or Public Welfare and Maintenance of the National Economic Posture. (Note: Under emergency circumstances,

Essential NSEP telecommunication services may be recategorized as Emergency NSEP and assigned a priority level "E" for provisioning.)

(1) National Security Leadership. This subcategory will be strictly limited to only those telecommunication services essential to national survival if nuclear attack threatens or occurs, and critical orderwire and control services necessary to ensure the rapid and efficient provisioning or restoration of other NSEP telecommunication services. Services in this subcategory are those for which a service interruption of even a few minutes would have serious adverse impact upon the supported NSEP function.

(a) Criteria. To qualify under this subcategory, a service must be at least one of the following:

- (i) Critical orderwire, or control service, supporting other NSEP functions.
- (ii) Presidential communications service critical to continuity of government and national leadership during crisis situations.
- (iii) National Command Authority communications service for military command and control critical to National survival.
- (iv) Intelligence communications service critical to warning of potentially catastrophic attack.
- (v) Communications service supporting the conduct of diplomatic negotiations critical to arresting or limiting hostilities.

(b) Priority Level Assignment. Services under this subcategory will normally be assigned, during Peacetime/Crisis/Mobilization, priority level "1" for provisioning and restoration.

(2) National Security Posture and U.S. Population Attack Warning. This subcategory covers those minimum additional telecommunication services essential to maintaining an optimum defense, diplomatic, or continuity-of-government posture before, during, and after crisis situations. Such situations are those ranging from national emergencies to international crises, including nuclear attack. Services in this subcategory are those for which a service interruption ranging from a few minutes to one day would have serious adverse impact upon the supported NSEP function.

(a) Criteria. To qualify under this subcategory, a service must support at least one of the following NSEP functions:

- (i) Threat assessment and attack warning.
- (ii) Conduct of diplomacy.
- (iii) Collection, processing, and dissemination of intelligence.
- (iv) Command and control of military forces.
- (v) Military mobilization.
- (vi) Continuity of Federal government before, during, and after crisis situations.
- (vii) Continuity of state and local government functions supporting the Federal government during and after national emergencies.
- (viii) Recovery of critical national functions after crisis situations.
- (ix) National space operations.

(b) Priority Level Assignment. Services under this subcategory will normally be assigned, during

Peacetime/Crisis/Mobilization, priority levels "2," "3," "4," or "5" for provisioning and restoration.

(3) Public Health, Safety, and Maintenance of Law and Order. This subcategory covers the minimum number of telecommunication services necessary for giving civil alert to the U.S. population and maintaining law and order and the health and safety of the U.S. population in times of any national, regional, or serious local emergency. These services are those

for which a service interruption ranging from a few minutes to one day would have serious adverse impact upon the supported NSEP functions.

(a) Criteria. To qualify under this subcategory, a service must support at least one of the following NSEP functions:

- (i) Population warning (other than attack warning).
- (ii) Law enforcement
- (iii) Continuity of critical state and local government functions (other than support of the Federal government during and after national emergencies).
- (iv) Hospitals and distribution of medical supplies.
- (v) Critical logistic functions and public utility services.
- (vi) Civil air traffic control.
- (vii) Military assistance to civil authorities.
- (viii) Defense and protection of critical industrial facilities.
- (ix) Critical weather services.

- (x) Transportation to accomplish the foregoing NSEP functions.

(b) Priority Level Assignment. Services under this subcategory will normally be assigned, during Peacetime/Crisis/Mobilization, priority levels "3," "4," or "5" for provisioning and restoration.

(4) Public Welfare and Maintenance of National Economic Posture. This subcategory covers the minimum number of telecommunication services necessary for maintaining the public welfare and national economic posture during any national or regional emergency. These services are those for which a service interruption ranging from a few minutes to one day would have serious adverse impact upon the supported NSEP function.

(a) Criteria. To qualify under this subcategory, a service must support at least one of the following NSEP functions:

- (i) Distribution of food and other essential supplies.
- (ii) Maintenance of national monetary, credit, and financial systems.
- (iii) Maintenance of price, wage, rent, and salary stabilization, and consumer rationing programs.
- (iv) Control of production and distribution of strategic materials and energy supplies.
- (v) Prevention and control of environmental hazards or damage.
- (vi) Transportation to accomplish the foregoing NSEP functions.

(b) Priority Level Assignment. Services under this subcategory will normally be assigned, during Peacetime/Crisis/Mobilization, priority levels "4" or "5" for

provisioning and restoration.

d. Limitations. Priority levels will be assigned only to the minimum number of telecommunication services required to support an NSEP function. Priority levels will not normally be assigned to back-up services on a continuing basis, absent additional justification (e.g., a service user specifies a requirement for physically diverse routing or contracts for additional continuity-of-service features). The Executive Office of the President may also establish limitations upon the relative numbers of services which may be assigned any restoration priority level. These limitations will not take precedence over laws or executive orders. Such limitations shall not be exceeded absent waiver by the Executive Office of the President.

e. Non-NSEP services. Telecommunication services in the non-NSEP category will be those which do not meet the criteria for either Emergency NSEP or Essential NSEP.

17. Authorizing Provision. NCS manuals implementing this directive are authorized.

18. Effective Date. This directive is effective immediately.

19. Expiration. This directive is in effect until superseded or canceled.

Assistant to the President for  
National Security Affairs  
Date: July 5, 1990

26

## APPENDIX A: DEFINITIONS

For the purposes of this Directive:

### Assignment

The designation of priority level(s) for a defined NSEP telecommunications service for a specified time period.

### Audit

A quality assurance review in response to identified problems.

### Committee of Principals (COP)

As specified by Executive Order 12472, a committee consisting of representatives from those Federal departments, agencies or entities, designated by the President, which lease or own telecommunications facilities or services of significance to national security or emergency preparedness, and, to the extent permitted by law, other Executive entities which bear policy, regulatory or enforcement responsibilities of importance to national security or emergency preparedness telecommunications capabilities.

### Government

The Federal government or any foreign, state, county, municipal, or other local government agency or organization. Specific qualifications will be supplied whenever reference to a particular level of government is intended (e.g., "Federal government," "state government"). "Foreign government" means any non-U.S. sovereign empire, kingdom, state, or independent political community, including foreign diplomatic and consular establishments and coalitions or associations of governments (e.g., North Atlantic Treaty Organization (NATO), Organization of American States (OAS) and, United Nations (UN); and associations

of governments or government agencies or organizations (e.g., Pan American Union, International Postal Union, and International Monetary Fund).

#### National Communications System (NCS)

The National Communications System (NCS) is a confederation of Federal departments, agencies and entities established by Presidential Memorandum of August 21, 1963 and reaffirmed by Executive Order No. 12472, "Assignment of National Security and Emergency Preparedness Telecommunications Functions," April 3, 1984.

#### National Coordinating Center (NCC)

The joint telecommunications industry - Federal government operation established by the NCS to assist in the initiation, coordination, restoration and reconstitution of NSEP telecommunication services or facilities.

#### National Security Emergency Preparedness (NSEP) Telecommunication Services or NSEP Services

Telecommunication services that are used to maintain a state of readiness or to respond to and manage any event of crisis (local, national, or international) that causes or could cause injury or harm to the population, damage to or loss of property, or degrades or threatens the NSEP posture of the United States. These services fall into two specific categories, Emergency NSEP and Essential NSEP, and are assigned priority levels.

#### National Security Emergency Preparedness (NSEP) Treatment

The provisioning of a telecommunications service before others based on the provisioning priority level assigned by the Manager, NCS, in accordance with this directive.

### Priority Action

The assignment, revision, revocation, or revalidation by the Manager, NCS, in accordance with this directive, or a priority level associated with an NSEP telecommunications service.

### Priority Level

The level that may be assigned to an NSEP telecommunications service specifying the order in which provisioning or restoration of the service is to occur relative to other NSEP and/or non-NSEP telecommunication services. Authorized priority levels are designated (highest to lowest) "E," "1," "2," "3," "4," and "5" for provisioning and "1," "2," "3," "4," and "5" for restoration.

### Priority Level Assignment

The priority level(s) designated for the provisioning and/or restoration of a particular NSEP telecommunications service.

### Private NSEP Telecommunication Services

Those non-common carrier telecommunication services including private line, virtual private line, and private switched network services.

### Provisioning

The act of supplying telecommunications service to a user, including all associated transmission, wiring, and equipment. As used herein, "provisioning" and "initiation" are synonymous and include altering the state of an existing priority service or capability.

### Public Switched NSEP Telecommunication Services

Those NSEP telecommunication services utilizing public switched

networks. Such services may include both interexchange and intraexchange network facilities (e.g., switching systems, interoffice trunks and subscriber loops).

#### Reconciliation

The comparison of NSEP service information and the resolution of identified discrepancies.

#### Restoration

The repair or returning to service of one or more telecommunication services that have experienced a service outage or are unusable for any reason, including a damaged or impaired telecommunications facility. Such repair or returning to service may be done by patching, rerouting, substitution of component parts or pathways, and other means, as determined necessary by a service vendor.

#### Revalidation

The rejustification by a service user of a priority level assignment. This may result in extension by the Manager, NCS, in accordance with this directive, of the expiration date associated with the priority level assignment.

#### Revision

A change in priority level assignment for an NSEP telecommunications service. This includes any extension of an existing priority level assignment to an expanded NSEP service.

#### Revocation

The elimination of a priority level assignment when it is no longer valid. All priority level assignments for an NSEP service are revoked upon service termination.

### Service Identification

Information uniquely identifying an NSEP telecommunications service to the service vendor and/or service user.

### Service User

Any individual or organization (including a service vendor) supported by a telecommunications service for which a priority level has been requested or assigned.

### Service Vendor

Any person, association, partnership, corporation, organization, or other entity (including common carriers and government organizations) that offers to supply any telecommunication equipment, facilities, or services (including customer premises equipment and wiring) or combination thereof. The term includes resale carriers, prime contractors, subcontractors, and interconnecting carriers.

### "Spare" Circuits or Services

Circuits or services not being used or contracted for by any customer.

### Telecommunication Services

The transmission, emission, or reception of signals, signs, writing, images, sounds, or intelligence of any nature, by wire, cable, satellite, fiber optics, laser, radio, visual, or other electronic, electric, electromagnetic, or acoustically coupled means, or any combination thereof. The term can include necessary telecommunication facilities.

Telecommunications Service Priority (TSP) System User

Any individual, organization, or activity that interacts with the TSP System.